

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW JERSEY, STATE OF CONNECTICUT,
STATE OF DELAWARE, STATE OF NEW YORK,
COMMONWEALTH OF MASSACHUSETTS, CITY OF NEW
YORK,

Plaintiffs,

v.

ANDREW R. WHEELER, *Administrator of the United States
Environmental Protection Agency*, UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY,

Defendants.

No. 20 Civ. 1425 (JGK)

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Opposition to Plaintiffs' Motion for Summary Judgment and in Support of Defendants' Cross-Motion for Summary Judgment, Defendants' Response and Counter-Statement of Undisputed Material Facts Pursuant to Local Civil Rule 56.1(b), the Declaration of Anne Idsal, the Declaration of Lucas Issacharoff, and the attached exhibits thereto, Defendants Andrew Wheeler and the United States Environmental Protection Agency, by their attorney, Geoffrey S. Berman, United States Attorney for the Southern District of New York, hereby move this Court for an order granting summary judgment to Defendants pursuant to Rule 56 of the Federal Rules of Civil Procedure.

Dated: June 5, 2020
New York, New York

Respectfully Submitted,

GEOFFREY S. BERMAN
United States Attorney of the
Southern District of New York

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